

SENATE BILL 2305  
By Kyle

AN ACT to amend Tennessee Code Annotated,  
Title 56 and Title 71, Chapter 5, relative to  
insurance coverage.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 56, Chapter 7, Part 16, is amended by  
adding as an appropriately numbered section the following:

Section \_\_\_\_\_. (a) Notwithstanding any other provision of law to the contrary,  
any insurance company or any other entity subject to this part, shall comply with all the  
following requirements in the production and distribution of any materials designed, in  
whole or in part, to inform any individuals in the process of being disenrolled from  
TennCare of possible health insurance options:

- (1) The language shall be written to meet a reading level, as  
determined by the director of the bureau of TennCare, so that the materials are  
designed to be in an easy-to-read format;
- (2) The documentation shall contain a number for individuals to call  
with questions for the company or insurer;
- (3) The documentation shall contain a reference to an appropriate  
toll-free number provided by the director of the bureau of TennCare for  
individuals to call for assistance with remaining TennCare questions; and
- (4) On the top of the first page of the information, the company or  
insurer shall place, in type face no smaller than 20 point type, the words and  
punctuation as follows: "If you are losing TennCare, these pages may help you."

(b) The commissioner, working in conjunction with the bureau of TennCare, shall have the authority to promulgate rules and regulations for the purposes of implementing the provisions of this section. Because of the immediate nature of the provisions of this section, any and all rules provided for in this section shall be promulgated as public necessity rules pursuant to Tennessee Code Annotated, Section 4-5-209. All such rules and regulations shall be promulgated in accordance with the provisions of the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 2. Tennessee Code Annotated, Section 71-5-135, is amended by deleting the last sentence in its entirety, by designating the remaining language as subsection (a), and by adding the following language as a new subsection (b):

(b) The provisions of subsection (a) are only to be implemented to the extent that it is consistent and specifically provided for in the TennCare waiver as submitted and approved by the United States department of health and human services.

SECTION 3. This act shall take effect upon becoming law, the public welfare requiring it.